

MAY 03 2004

OFFICIAL



Facsimile Transmission

51 Louisiana Avenue, N.W. • Washington, D.C. 20004-1113 202/879-3939
Facsimile: 202/626-1700

Date

5/3/04

Please hand deliver the following facsimile to:

Name:

Anh Ly

Company:

Telephone No.: 703-746-5628

Facsimile No.: 703-746-5628

Number of Pages (including this page): 5

Send copies to:

From:

Russell Paige

Telephone No.:

4-3785

☐ Copies distributed

Facsimile Operator's Initials

CAM No.:

940630-010001

NOTICE: This communication is intended to be confidential to the person to whom it is addressed, and it is subject to copyright protection. If you are not the intended recipient or the agent of the intended recipient or if you are unable to deliver this communication to the intended recipient, please do not read, copy or use this communication or show it to any other person, but notify the sender immediately by telephone 202/879-3939 or the direct telephone number noted above.

Message:

Please call us immediately if the facsimile you receive is incomplete or illegible. Our telephone number is 202/879-3897. Please ask for the facsimile operator.

ATLANTA • BEIJING • BRUSSELS • CHICAGO • CLEVELAND • COLUMBUS • DALLAS • FRANKFURT • HONG KONG • HOUSTON
IRVINE • LONDON • LOS ANGELES • MADRID • MENLO PARK • MILAN • MUNICH • NEW DELHI • NEW YORK
PARIS • PITTSBURGH • SAN DIEGO • SAN FRANCISCO • SHANGHAI • SINGAPORE • SYDNEY • TAIPEI • TOKYO • WASHINGTON

#73
wm

Attorney Docket No.: 940630-0 0018

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

MAY 03 2004

OFFICIAL

In re the Application of:

Evans, David A.

Serial No.: 09/544,121

Filed: April 6, 2000

For: A Method and Apparatus for
Information Mining and Filtering)
)
)
) Group Art Unit: 2172
)
) Examiner: Ly, Anh
)
)
)
)
)Via Facsimile

Sir:

PROPOSED EXAMINER'S AMENDMENT

I. Introductory Comments

This is a response to the telephone call from Examiner Ly. Please call me regarding the attached proposed Examiner's Amendment.

Attorney Docket No.: 940630-010018

II. PROPOSED EXAMINER'S AMENDMENT TO THE CLAIMS

I. (Currently Amended) A computer assisted method for analyzing information from a data

source, comprising:

selecting one or more data sources;

selecting a plurality of operators for analyzing information;

linking said plurality of operators together in a network;

creating a visual representation of said network;

detecting whether said data source is a data stream or a database;

evaluating said operators against at least said database when said data source includes one or more databases and evaluating a data unit against said operators when said data source includes one or more data streams; and

creating a plurality of output indicators corresponding to each of said operators on said visual representation of said network, wherein said output indicators visually represent a quantified output of said corresponding operators.

Attorney Docket No.: 940630-0.0018

III. REMARKS

Claims 1, 3-22 and 25-33 are pending in the application. Claims 1, 9 and 22 are independent claims. The Examiner has rejected claim 1 for indefiniteness.

A. Rejections Under 35 U.S.C. § 112, Second Paragraph

According to the Examiner, it is not clear to what the claim term "operators" refers in claim 1, lines 4 and 5. Applicant respectfully traverses the rejection of Claim 1 under 35 U.S.C. § 112, second paragraph for indefiniteness. The present invention relates to methods of searching and filtering electronic information. In the relevant art, the term "operator" is a well known term of art for use in data analysis. The specification is rife with descriptions of the term "operators," that more than sufficiently enable a person of ordinary skill. For example, the specification describes one preferred embodiment where the operator can take any of several forms that are well known in the art:

The operator 220 extracts information from the data source to which it is coupled. The operator 220 may also trigger a variety of functions based on the extracted information. For example, the operator 220 may be as simple as i) a logical combination of text words, ii) a function to extract entities such as places or proper names, iii) recognizing audio or video data structures, iv) recognizing pictures or graphics structures, or v) a network itself in which functions are performed based on the extraction of a particular quantity or type of information or vi) a cluster function. Here, operator 220 is a scored filter. A scored filter is created by initially generating a query such as shown in figure 7. Figure 7 is a function box in which the query, or profile, such as "want to buy a GM" is typed or otherwise created. This profile is then parsed for terms using the same process as used in parsing subdocuments described above. Any arbitrary document feature may constitute a term. Once parsed, a lexicon for terms may be used to modify or expand the term list. After the term list has been generated, it is then scored against the subdocuments in the source database 212.¹

¹ Application at p.11, line 18 - p.12, line 7.

Attorney Docket No.: 940630-00018

The specification describes the term "operator" in further detail in another example:

Operators 220 and 230 are scored type filters. However, other types of operators may be used in addition to or interchangeably with them. In figure 2, for example, operation 240 is an RDB type filter. It is selected from a list of RDB filters which is chosen by clicking on RDB button 236.²

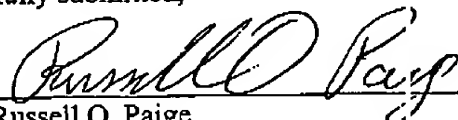
Applicant respectfully suggests that these and other descriptions of the term "operator" enable a person of ordinary skill in the relevant art to make, use or practice the invention without undue experimentation.

IV. Conclusion

Please call me regarding this proposed Examiner's Amendment. For the above reasons, I fail to see the need for including the term "operators" in the preamble of the claim.

Respectfully submitted,

By: _____


Russell O. Paige
Reg. No. 40,758

Jones Day
51 Louisiana Avenue, N.W.
Washington, DC 20001-2113
Tel. (202) 879-3939

Date: April 30, 2004

² Application at p. 15, lines 15-19.